

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126114/LO/2020

Date registered valid: 23 September 2020

Proposal: LISTED BUILDING CONSENT: Removal and replacement of 3no. CCTV cameras

Address: The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR

Ward(s): Deansgate Ward

Applicant: Mrs Sarah Hawkins Manchester City Council Town Hall Extension , St Peters Square, Manchester, M60 2LA

Agent (if any):

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 November 2020

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 4 November 2020

Standard consultations:

Printed: 16 October 2020 Expired: 6 November 2020

Neighbour notifications

Printed: 16 October 2020 Expired: 6 November 2020

Site notice

Posted: 4 November 2020 Expired: 25 November 2020

Press advert

Published: 20 October 2020 Expired: 10 November 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Cathedral Conservation Area 1972

Tree Preservation Order: Not applicable

Description of area

This application relates to a Grade II Listed building named the Corn Exchange and located at 37 Hanging Ditch in the retail core of Manchester City Centre and within the Cathedral Conservation Area. The building is opposite the Grade I listed Manchester Cathedral and the Grade II Listed Shambles Public house and Sinclair's Oyster Bar.

The existing building was constructed for 12 years beginning in 1890 and completing in 1903. It was largely designed by Edward Potts and was built as a corn and produce exchange.

The building suffered severe bomb damage in 1940 during World War II after which time the interior of the building was largely reconstructed. The building suffered further bomb damage in 1996 during the IRA's bombing of the City Centre following which the building was stripped back to its original structure and extensively restored.

Internally, the main entrance and the vertical circulation cores have remained largely intact and contain the most significant remaining features and few original features and some original internal structure remains on the upper levels and within the basement. Externally, the building retains a number of original features and detailing within the elevations.

Previous applications referenced 108076/JO/2015/C1, 108184/JO/2015/C1, 108006/LO/2015/C1, 108002/FO/2015/C1, 106419/NMC/2014/C1, 105209/JO/2014/C1,

105166/FO/2014/C1; 103222/LO/2013/C1 and 103221/FO/2013/C1 were granted planning permission and listed building consent between 25th October 2015 and 12th May 2015.

Description of development

Listed building Consent is sought to replace three existing CCTV cameras. One camera is mounted on each elevation.

It is proposed to replace to the existing cameras with new and smaller cameras. The existing fixing brackets would be reused in the installation. The new cameras would be coloured to match the stonework.

The proposed camera is 360 Vision that is manufactured in the UK. The model name is the Invictus.

Consultations & Notification Responses

Publicity - The application was advertised as an application for listed building consent and as affecting a conservation area, letters were sent to surrounding occupiers and a site notice was displayed on site. No replies were received.

Issues

Impact on the Character and Appearance of the Listed Building

The main issues for consideration relate to the impact of the proposals on the on the character and appearance of the listed building. The main policies that relate to this proposal are:

The Adopted Core Strategy for the City of Manchester

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials.

The Unitary Development Plan for the City of Manchester

Saved policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character;
- not permit alterations to a listed building that would prevent the future use of any part of the building.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 12 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development" (NPPF Paragraph 7). In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 185 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 189 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 194 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Requiring Good Design) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

The proposed cameras would be smaller than the existing cameras that they would replace. They would use the existing brackets and wire routes meaning that no more damage would be caused to the stonework. They would also be coloured to match the stone making them more discreet than the existing cameras that they would replace, which are coloured black.

The cameras have been chosen as they need to be high definition, operate in colour and have pan tilt and zoom capabilities so that they can scan areas, focus in on people and objects and follow them.

The Council's objectives in using CCTV cameras are:

- To increase safety for those people who live, work, trade within and visit Manchester including monitoring for security and safety purposes of Council staff and visitors in Council premises.
- To assist in the deterrence and detection of crime (including environmental crime), disorder and anti-social behaviour in Manchester; and in the upholding of legal rights. This will include:
 - Helping to identify, apprehend and prosecute offenders
 - Providing evidence for criminal and civil action in the courts including preliminary investigation of claims
 - Countering terrorism
- To help reduce the fear of crime and provide reassurance to the public
- To increase safety for those people who live, work, trade within and visit Manchester including monitoring for security and safety purposes of Council staff and visitors in Council premises
- To assist in the overall management of public places
- To assist in developing the economic wellbeing of the Manchester area and encourage greater use of the City Centre
- To assist the Council in carrying out its regulatory functions in relation to environmental health and protection, pollution control, contaminated land, health and safety, food safety, animal welfare, consumer protection, weights and measures and licensing.
- To provide traffic management support and enforce bus lane and parking restrictions
- To provide assistance and direction in the event of a major emergency in Manchester

The retention of cameras in this location would cause less than significant harm to the significance of the listed building, however the cameras are required for security reasons and therefore have clear public protection benefits. The proposed cameras would also be a significant improvement on the existing cameras for the above reasons.

A condition will be applied to the application to agree the colour of the cameras on site to ensure as close a colour match to the existing stonework as possible.

Officers consider that the benefits of the proposal would outweigh the level of harm caused to the affected heritage assets, and are consistent with paragraph 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

In view of the above, it is considered that the proposals would be in accordance with all above policies.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the

planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included discussions regarding amendments to the proposals.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The location plan referenced 110278_0100-01 received by the City Council as local planning authority on 23 September 2020

The following drawings referenced:

110278_0100-26

110278_0100-27

110278_0100-28

received by the City Council as local planning authority on 23 September 2020

The Public Realm & CCTV, Highways, Manchester City Council Heritage Statement received by the City Council as local planning authority on 23 September 2020

The email from Sarah Hawkins of Manchester City Council dated 18 November 2020 confirming installation information.

The email from Sarah Hawkins of Manchester City Council dated 20 November 2020

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC9, EN3, SP1 and DM1 of the Core Strategy, saved policies DC18.1, DC19.1 and Sections 12 and 16 of the National Planning Policy Framework.

3) Notwithstanding the information detailed within Condition 2 of this application, final samples and swatches of the colour treatment of the proposed cameras and brackets shall be submitted to and formally agreed in writing with Manchester City Council as Local Planning Authority prior to the installation of the cameras hereby approved on site. The works shall then be carried out in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a listed building and careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, EN3 and DM1 of the Core Strategy.

4) Should the cameras hereby approved no longer be required they shall be removed from the building only in accordance with a method statement for removal submitted to and approved in writing by the City Council as local planning authority prior to the removal of the works hereby approved. The removal shall be carried out only in accordance with the approved method statement and shall be completed within three months of the date that the above alterations are no longer required.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies DM1, SP1 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation

First Floor, Pleer House, 1 Fennel Street, Manchester, M4 3DU
Sinclairs Oyster Bar, 2 Cathedral Gates, Manchester, M3 1SW
Pleer House, 1 Fennel Street, Manchester, M4 3DU
Fourth Floor, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Third Floor, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 15, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Kiosk 1, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Fifth Floor, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 35, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 8, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Roomzzz, The Corn Exchange, 35 Hanging Ditch, Manchester, M4 3TR
Second Floor, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 18, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 12, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 22B, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Second Floor Management Suite 2D, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Byron, Unit 9, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Banyan, Unit 4, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 22, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Units 21 And 34, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
The Wheel Of Manchester, Exchange Square, Manchester, M4 3TR
Salvis, Unit 1, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Mowgli, Unit 16, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 6, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 3, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 22A, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
3 Fennel Street, Manchester, M4 3DU
Zizzi, Unit 14, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Old Wellington Inn, 4 Cathedral Gates, Manchester, M3 1SW
Fourth Floor And Fifth Floor Suites 4A And 4B And 5B, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Second Floor Suite 204 And 206, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Third Floor Suite 340, The Corn Exchange, Fennel Street, Manchester, M4 3DU
Security Control Room Second Floor, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
The Corn Exchange, Fennel Street, Manchester, M4 3DU
Sky Bar, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 2, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 24, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Third Floor Suite 339B, The Corn Exchange, Fennel Street, Manchester, M4 3DU
Kiosk 7, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Unit 11, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Manchester Cathedral, Victoria Street, Manchester, M3 1SX
STARBUCKS, 75 Hanging Ditch, Manchester, M4 3DU
Unit 32, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Cathedral Conservation Area 1972
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CITY1